Morning Oregonian.

PORTLAND, OREGON THURSDAY MAY 17 1888

XXIII. NO

THE EAST.

Ruling that Hon. Phil. Thompson Is Not Guilty.

SESSION OF THE SPEAKERSHIP

Proceedings of Yard Connections.

San Francisco are still working

CONVENTION NOTICE

The international convention for the United States and Canada this morning at the Grant church with 500 delegates in Rev. address was delivered by President an address also was the Bishop of the London England of the Manchester Eng. Congratulatory addresses the Bard of Shaftesbury pres... association and Hon... of the united association of

...was called to order at ... were present to listen ... Gaines newly elected ... of Milwaukee deliv... which was responded to

...ions, in its report says ...committee has received ...ions of $300 each. There ... one for $200 ... 1888, and for $100 each, and the ... persons and associations ... paid each. The expenses of ... to date of convention ... All are paid ... the treasury, $907 65. ...mainder of the convention ... which the convention is ... for the current year ... cause, calls for an expen... convention also to pro... the period that shall ...

...Depot granted Baimi ... the Chester on West ... receiving the license ... agreement, of which ... Pro... is granted, and by ... the express condi... for the so-called ... performance, nor ... connected or rep... being habitually ... christian ... Passion Play' or ... similar performances ... Sunday, and being ... solemnization of ... exhibition or pro... theatres, without ...

...Money.

...ers of aldermen have ... with the mayor ... stolen from the ... the comptroller's ... Shanahan was ... Frank Forester an... commission of wrong ... of carelessness, as ... of duty, to recover ... bonds, through ... the city treasury. ... Mayor Grace ... city was once ... able to have had ... was reported that ... to comptroller ...

...Hartford.

...Philip Thompson was heard as ... Frank G. ... Thompson was brought to trial ... The court ... discharged the jury and adjourned

...Cherokee Strip Passed

...May 17 The House ... both the senate and house passed by ... majority the bill ... leasing the Cherokee strip to the Cherokee Strip Live Stock Association for ... consideration ... The bill ... now ... to the President for his approval.

...Alpha Delta Phi in Session

...May 16 —The 21st annual convention of the Alpha Delta Phi college fraternity began this morning and will continue two days. The Secretary J E Densmore presides in the absence of Son John Jay of New York Nearly 100 hundred members are in attendance representing seventeen chapters scattered over the country

...Peace for Peru

...New York May 16 —[Special]—The Tribune says Peru is left demoralized and bleeding but her soil is freed from the invader and she can now begin to gather herself together Her first step towards prosperity is not a special in which the United States can behold with equanimity or satisfaction There is peace will out the aid nor to the United States

...High License Triumphant

...Springfield Ills May 16 —The house was forced into a deadlock yesterday afternoon by the opposition of the high license bill but the friends of the bill rallied in sufficient force this morning to break the deadlock long enough to adopt McLaughlin's amendment fixing beer licenses at $200 and whisky license at $500

...Evangelical Lutheran Synod

...Springfield Ills May 16 —The general synod of the Evangelical Lutheran church of the United States met in its thirty first biennial convention at 9 o'clock today

...The Trial of Jere Dunn.

...Chicago May 16 —In the Jere Dunn murder trial Colonel Munn closed his argument for the defense at 1 o'clock Adjournment will be followed this afternoon by Emory A Storrs also for the defense It is probable the case will go to the jury to-morrow night

...Kentucky Democratic Convention

...Louisville May 16 —The democratic state convention met at 10 this morning Hon Isaac Caldwell of Louisville temporary chairman appointed committees on organization resolutions and credentials, and took a recess until 2 30 P M

...Democratic Losers.

...Wheeling W Va May 16 —A special to the Intelligencer would indicate that Snyder majority over Brown for congress in the third district will be about 1800 a loss of over 300 democratic votes

WASHINGTON

...Immigration from Madeira Urged.

...Washington May 16 —[Special]—U. Dupont Lyle, United States consul at Funchal Madeira, in a report to the state department, says "I beg to call the attention of governors legislatures and planters in the southern states to the supply of labor fitted for cotton and sugar culture which is prepared to in Madeira, Goldschmidt has already pointed this out in a report which I inclosed to the state department January 12 1885 From that report it may also be seen that Madeira is one of the most densely populated districts in the world, it having 430 inhabitants to the square mile For some years past there has been a steady immigration from the Azores In 1875 there was emigration from Madeira to the Sandwich Islands Mr John Hutchinson United States vice consul and consul for the Sandwich Islands informs me that within the next year he expects to send off about 1000 emigrants to Honolulu from this port I am sure the Madeira peasantry would go home willingly to the United States rather than to Sandwich Islands as the American government is the most popular here The average peasant would willingly become an American citizen He is pleasant, well acquainted with the cultivation of sugar cane its industries, submissive to authority and not addicted to drink He is constitutionally adapted to a semi tropical climate and would do just as well anywhere south of latitude 37

...Increase in the Exportation of Whisky

...Washington May 16 —The acting secretary of the treasury had a consultation to-day with Gilpy, collector of customs at Newport News in regard to the exportation of bonded whisky from that port to Bermuda The collector said this business was increasing to such an extent that additional help was absolutely necessary Twenty thousand gallons of whisky were now at that port awaiting shipment and he is informed that certain exporters for whom he and a New York firm is acting as agent, expect to ship whisky to Bermuda at the rate of from 500 to 1000 barrels a month Clay says his present force could only gauge about sixty or seventy barrels a day, and would not begin work until the extra force should arrived The acting secretary informed him that a force of gaugers from Richmond would be sent to this assistance The subject will be laid before Secretary Fairchild to-morrow

...Union Paymasters

...Washington May 10 —About twenty five army paymasters, who served during the war of the rebellion met this afternoon and organized a society to be called the "Association of Union Army Paymasters" by electing General Rufus Ingalls quartermaster general, president, and ex Paymaster Hon Will Cumback of Indiana, Governor Fred Rozelle of Maine Hon Wm P Fletcher of New Jersey Hon Russell Everett of Pennsylvania and Stephen A Walker of New York City vice presidents The object of the association is stated to be social, historical and patriotic

...California Inventors

...Washington, May 16 —[Special]—The following patents were issued to California inventors to-day Jacob Brandt San Francisco, machine for cutting out cigar wrappers William Cobbe San Francisco horse collar George Cantrall, San Francisco, cutoff for screening devices for middlings Four etc. Thomas H Daly San Francisco railway switch Marshall F Dinbrook St. Helena apparatus for restoring sherry wine Joseph Jacobs San Francisco, wheel guard for railway cars John I Martin Bidwell's Bar, hydraulic mining apparatus

...Memorial Bust of Garfield

...Washington, May 16 —At the presentation day exercises of the national deaf mute college to-day a memorial bust of the late President Garfield was unveiled with appropriate ceremonies the bust, which arrived here from Italy only six hours before the unveiling was secured by subscription received from deaf mutes throughout the United States and the cost was $1500

...General Order to Postmasters

...Washington May 16 —Postmaster General Gresham has issued a general order directing postmasters to cooperate with custodians of public buildings in aiding the civil service commission in its all reasonable ways in the discharge of its duties

...Exports of Breadstuffs

...Washington May 16 —Breadstuffs exported in April 1888 were valued at $12 464 318 corresponding month last year $9 068 189 exported for the ten months ended April 30 last $127 748 345 same period last year $1 7 619 727

...Consul Recognized

...Washington May 16 —The president has recognized George Edward Stanley consul of his Britannic majesty for the states of California and Oregon and of Washington territory to reside at San Francisco

PACIFIC COAST.

...To War Between Steamship Lines Carried to Portland.

...Is Settled by a Compromise

...California

...San Francisco May 16 —[Special]—The Examiner says Mr Huntington has returned from the east and will at once begin work on the Nicaragua canal The Examiner says that Mr May returns here from Washington after the San Juan treaty is settled and that Mr Huntington will then begin work on the canal The Examiner says that Mr May returns here from Washington after the San Juan treaty is settled and that Mr Huntington will then begin work on the canal

...Oregon

...Portland May 16 —[Special]—The Oregonian says: Ex Governor Moody has been appointed by the president to succeed Judge Deady as United States district judge for Oregon Judge Deady has been ill for some time past and has been unable to attend to his duties for several months

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...Railroad Rumors

...Redasons of Transcontinental and Union Pacific

...New York May 16 —The Wall Street Current says: Oregon and Trans Continental and Union Pacific have been the weakest stocks in the market and the selling in both instances is reported to be for outside account

...The Vanderbilt road is said to be preparing to rush eight miles a day in the spring Should it make eight miles a day the Southern Pacific will make trouble in the matter by the 1st of May

...Villard's return and his negotiations have not had as yet any effect on the stock market

...Villard and Huntington left for Washington last night Both will be back in New York on Saturday

...The Council at Pacific mail is about to have changes (yesterday)

...Railroad Suit Against a Railroad Company

...Philadelphia May 16 —In the court of common pleas the jury gave a verdict for Jacob Spicker against the railroad company for $5 00 Spicker was a tramp who stole a ride on the cow catcher of the locomotive when the train was passing through Camden He was arrested by the police and fined $5 00 or in default of payment to be imprisoned for ten days Spicker refused to pay the fine and was imprisoned for ten days He then brought suit against the police for the illegal imprisonment and the jury gave him a verdict for $5 00 and costs

...Annual Meeting of Directors

...Portland May 16 —[Special]—The annual meeting of the directors of the Portland and Chicago Railway company was held this afternoon at the office of the company in this city Directors present were Henry Failing Simeon Reed and Ben Holladay Henry Failing was elected president Simeon Reed vice president and Ben Holladay general manager The old officers were re-elected

TELEGRAPHIC NEWS.

...Jacob Tuttgen's Trial

...The jury in the case of Jacob Tuttgen charged with committing incest with his daughter Mary Tuttgen on the 11th of November last, returned a verdict of guilty this morning Tuttgen had a hearing before Justice Goodell in this city and was committed to the county jail to await the action of the grand jury Mary Tuttgen, the girl who was the victim of the crime, is now in the county hospital in this city where she was taken after the commission of the crime She is in a very critical condition and her recovery is doubtful

...Burglar Shot and Killed

...Sheriff Hall and Deputy Sheriff Hall, of Lake county, arrived in this city last night with the body of a burglar named Thomas Hall, who was shot and killed by Deputy Sheriff Hall at Lakeport, Lake county, last night Hall and his brother, Deputy Sheriff Hall, had been watching the house of Mrs Hall, their mother, during the absence of the family from home Hall was seen to enter the house through a window and was shot by Deputy Sheriff Hall as he was attempting to escape

...Fatal Fall

...Mrs Hall, wife of Deputy Sheriff Hall, of Lake county, fell down stairs at her home in Lakeport last night and broke her neck She was carrying a lighted lamp at the time and in the fall set fire to her clothing, which was entirely consumed before the flames could be extinguished

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CALIFORNIA

...Chinese Cruelty

...San Francisco May 16 —[Special]—Through Pullman and other short stories from China have been received by the steamer Gaelic which arrived this morning Among the stories is one that the Chinese in Canton have been cruelly persecuting the Christians Many of the converts have been tortured to death and others have been driven from their homes and their property confiscated The persecutions are said to be the result of the anti foreign feeling which has been aroused by the action of the French in Tonquin

...Chinese Arrivals

...San Francisco May 16 —The steamer City of Pekin arrived this morning from China and Japan She brought 1000 Chinese passengers and merchandise to Goodall Perkins & Co May 16—Steamer Umatilla sailed for Victoria passengers and merchandise to Goodall Perkins & Co May 16—Steamer Dakota, Morse for Victoria passengers and merchandise to Goodall Perkins & Co May 16—Steamer Umatilla sailed for Victoria passengers and merchandise to Goodall Perkins & Co May 16—Steamer Dakota, Morse for Victoria passengers and merchandise to Goodall Perkins & Co

...Seattle

...Seattle, May 16 —The Seattle Improvement Company bark Ella S Thayer left yesterday from Departure bay for Dunsmuir Diggle & Co

...Speedily Disposed of

...Superior Judge Edmonds this morning rendered a judgment in favor of the city and county of San Francisco against the Central Pacific Railroad Company for $648 and interest due as taxes on harbor front property The trial lasted five minutes being the most speedily disposed of case on record in the superior court

...Examination of Gray Continued

...The examination of J A Gray was concluded this morning in the police court He was held on one additional charge of embezzlement and two of forgery making fifty four charges in all One charge of forgery and one embezzlement was dismissed This ends the proceedings in the police court

...Poison on Adulterated Tea

...A long reply of Secretary of the Treasurer Folger to San Francisco merchants concludes by citing an adulterated brand of tea "Should such tea be imported into this port I would fix it my duty to reject the same

THE WAR ON CHINESE.

...The Recent Attack by a Mob upon Coolies at the North Most Burial and Cowardly

...Victoria May 16 —[Special]—Accounts from the mainland of the cowardly conduct of an mob who attacked the Chinese to have been cowardly and brutal The white men who had the altercation with the Chinese to do, day they were not hurt having beaten the Chinese off with pickhandles Tuesday night when the gang were in bed in their houses the camp was attacked by a crowd of white men who surrounded it armed with clubs set wild they struck the Chinese As they rushed out of the cabins as the dark they were struck down and some of them terribly injured A good many escaped but nine were killed on the ground for dead The mob hastily set fire to the houses and destroyed as most of the victims and some of the Chinese hastened back and tried to put out the fires and save the goods and clothing but water was not at hand and everything was burned up

...The Dead and Wounded

...At daylight they gathered up the wounded and found one man that was speechless He died at 8 A M Yesterday to-day Another is not expected to live the murdered man and wounded to own There being no white do ter willing to assist the Chinese a Chinese doctor from Victoria was sent for who pronounced it as his opinion that three more men would die

...An inquest was held Thursday and Friday and it was the coroner's effort to impanel a jury of twelve disinterested men as the feeling was too strong against the Chinamen The jury returned a verdict that deceased came to his death from violence at the hands of parties unknown The whole of the nine Chinese had frightful wounds about the head and in one severe case the brains appeared to be oozing from the skull The coroner found it impossible to procure medical examination of the man There was no evidence to justify the arrest of suspected parties though three will probably still be master

NEVADA

...Murder at Winnemucca

...Winnemucca May 16 —This morning a man named Thomas Moore, employed in a livery stable here died suddenly It became known shortly after his death that he had been struck with a new glass on ten head yesterday and a coroner's inquest was held and a post mortem examination made The jury found that deceased came to his death at the hands of Joseph Fergus Fergus who has the reputation of being a rough character was arrested and is now in jail He was indicted here three years ago for assault with intent to kill and he left the country returning lately

UTAH

...Troubles Ended

...Salt Lake May 16 —The Denver and Rio Grande troubles at Ogden have been adjusted, and to-morrow morning the first train will leave that place for Salt Lake

WASHINGTON TERRITORY

...News Notes from Spokane

...Spokane, May 16 —[Special]—Thomas McCoby Wells Fargo & Co's agent at this place myself only disappeared on the 8th of this month The loss to the company is said to be less than $5 000 at this writing

...Lewis & Clarke city authorities are looking up the land in which certain city property is located, and in which the title is disputed

...Ex Governor Newell of Connecticut and the Chicago and Northwestern railroad will establish an agency in Portland the Rock Island and Chicago and the Milwaukee and St Paul railroads will do likewise

BREWERS IN COUNCIL

...The National Association Convenes at Detroit—The First Days Proceedings

...Detroit, May 16 —The twenty third annual convention of the National Brewers association assembled this morning in this city in Harmonie hall which was beautifully decorated for the occasion with flowers and mottoes In the evening were formally received last evening when a musical concert was given and brief addresses of welcome rendered by Michael Marix chairman and Mayor Thompson in the latter citizen, the chief executive citing Jl H Seaman replied gracefully in behalf of the brewers in the following address

...When the convention was called to order Friday morning at the Detroit opera house, and a citizen of Detroit welcomed the members to the convention to the city His was followed by an address by the president, J H Seaman of Rochester, N Y in which he stated that the principal subject to come before the convention would be the adjustment of the hop tax question and the further consideration of the report of the special committee The committee recited the canvass that led to prohibition in Kansas and Iowa and set forth the results of prohibition in those states, and in Maryland Illinois and Connecticut The speaker then read the instructions to the agents sent by the committee to the states where prohibition was in force, with a statement that the principal object before the convention would be the adjustment of the hop tax question and the further consideration of the report of the committee

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...The Attorney's Report

...Richard Katz mayor of New York read the report of the board of trustees It states that there has been considerable increase of membership at the end of the year, 1887 the number being 1 Receipts have increased The importance of the association will secure the unanimous support of all interested in the trade Legislation in some states has been unfavorable to the trade, but in other states it has been favorable The association has been instrumental in securing the passage of the Edmunds bill, which will be of great benefit to the trade The report recommended that the association take action to secure the passage of a bill to prevent the adulteration of beer

...Reports Received

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SPORTING NEWS.

...Lexington Races

...Lexington May 16 —The Blood Horse says: Cattail easily the fair weather good track was at the finishing and is betting

...The first race was a selling race mile and an eighth Tom Bell won Silver 3d My turn 3 ran first

...The second race A mile and three quarters Hurricane Jr 1 Mollie McCarthy 2 Vernon Bill 3 Time 3 05

...The third race Mile and a quarter Cattail 1 Lizzie M Graft 2 Monkey wool 3 Time 2 08

...The fourth race Mile and a furlong Fox 1 Bold Time 1 58

...Washington Races

...Washington May 16 —First race National 1 Cheerful 2 Time 1 15

...Second race Mile Hawken 1 Sir Gordon 2 Time 1 45

...Third race Mile and a half Camilla won Bella 2 Time 2 40

...Fourth race Mile and a quarter Bonnie Lassie won Bella 2 Time 2 10

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MINERS CONVENE ON

...The Amalgamated Association of Operatives at Pittsburg and Adopts Resolutions

...Pittsburg May 16—The miners later state convention assembled this morning Eighty delegates were reported present from Ohio Maryland Illinois and Pennsylvania The president called the meeting to order and read the annual report of the executive committee which reviewed the work of the past year and congratulated the organization on its present prosperous condition

...The committee on credentials reported the following number of votes from the different districts represented Pittsburg district 1 Ohio district 1 Illinois district 1 Maryland district 1 Total 4

...Resolutions Adopted

...The afternoon session was called to order at 2 o'clock and the committee on resolutions submitted the following which was adopted after some discussion

...Resolved That the action of the committee in refusing to grant the request of the Pittsburg district for a reduction of 5 cents per ton on mining coal is unjust and unwarranted and we hereby instruct the committee to again present the request to the operators and if refused to call a strike

...Resolved That we favor the passage of a bill by the legislature of Pennsylvania providing for the appointment of a mine inspector for the Pittsburg district

The Daily Oregonian.

THURSDAY MORNING, MAY 17, 1883.

FOREIGN COMMENT ON AMERICA.

Americans often amuse the selves by noting the blunders of foreign comment on American life and affairs. In English newspapers these blunders, as might be expected, are fewer and less grotesque than in journals of the continent. The common language averts many errors. It takes the newspapers of France, Belgium and Italy to produce the most amusing mistakes, not only as to political and other affairs on this continent, but even as to history and geography. When we read of the Buffalo "out on the prairies beyond Pittsburg," or "yellow dust washed out of the beds of rivers coursing from the Rocky mountains to the bay of San Francisco," allowance may be made for a dim idea of the facts. But the case is altered when we are informed that "General Butler, by virtue of his office a president of Massachusetts, will, on the retirement of the present administration at Washington become the head of the national government."

The London *Standard*, in an article on the mooted retirement of Gould and Vanderbilt from active business, shows, however, that even an English newspaper can commit some very funny mistakes. In this article, in which the leading examples of wealth in this country are passed in review, we are told that "Vanderbilt inherited but a very small portion of his wealth from his father;" that "Mr. Stewart, the dry goods merchant, would undoubtedly have been regarded as a well-to-do person in Chicago," and that "the late Peter Cooper of Boston" was an unquestionable millionaire. But Vanderbilt, Astor and Gould, to say nothing of Stewart and Cooper, "sink into insignificance," says the *Standard*, "beside Mr. Mackey of Nevada, whose silver mines (the extraordinary Comstock bonanza) yield more abundantly than ever did those of Potosi," and "whose income has been stated at as much as a million dollars a week." With an income of such a size for Mr. Mackey, the mining speculations, which form his principal source of revenue, must levy contributions on the earnings of gudgeons than any one in his senses can imagine. Then it is the London newspaper that records the growth of fortunes like those of Vanderbilt and Mackey is regarded in this country as an impossibility to be achieved by others. The sinking pride in the specula- has enlarged and somewhat than which nothing could be. The vast majority of the country hold the belief that political power is safest when distributed among a great number of hands, and that the existence of great fortunes and of classes to them with grave apprehension. They lose sight of the dangers involved in the existence of paupers and great wealth is commonly employed. They look upon the evils which have heaped up in San Francisco as the imagination of mining speculators at the same time that the same and through methods by which Mackey purposely deluded and plundered. Success may throw a glamour over the methods, but never can hide subsequent shame; but never can hide the ultimate fact that the English people think of America as the country of England. A noted England Edward A. Freeman, has just published in the North his impressions of America. He considers this, but says he has much to admire in it, and looks right. Europe, he says, in American history without the Civil History but the West is only a small part of the United States. Englishmen may be interested in the minute details of Pullmans, customs, geography and the multitudes of things which are familiar, suggest England. Our subdivision in almost every case to English origin. Lowell on this at length is thought is pertinent to the knowledge which each

THE SITUATION.

The French commissioner, Crampon, now in California and the Territories afford the Pacific immigration in this many people in search of new industries. France and the industries are best acquainted with, and could be more easily and could be there is now a considerable emigration to America, and, as we should, without exception a thrifty, industrious and most thrifty of the trades and large numbers of native who are looking west for broader

The Legislature of New Jersey, at its recent session, passed an act prohibiting the sale of cigarettes or tobacco in any of its forms to persons under sixteen years of age, making the violation of such statute a misdemeanor punishable by a fine of twenty dollars for each offense. The act was to apply during the minority of the persons thus to be protected, as an act previously passed by the Legislature of the same state in regard to the sale of intoxicating liquors, is not explained. But if the act can be enforced even in respect to persons up to sixteen years, it will effect much good. There are physicians, we believe, who do not look upon the moderate use of tobacco by persons of mature years as hurtful; but there are none who do not think its use by young persons, particularly in the form of cigarettes, as most injurious and dangerous. There is uniformity of medical testimony as to the deleterious effect upon the young constitution of the wide spread habit of cigar and cigarette smoking, and the passage of this act and other acts to discourage the practice shows that the public mind is beginning to appreciate the magnitude of an evil which has already made serious inroads upon the health and vigor of the rising generation. But there is a large class of people who have small faith in the efficacy of penal prohibitory acts against the indulgence of vicious appetite, and by them not much good will be anticipated from this experiment with tobacco. But at all times the influence and authority of parents ought to be exercised in full force against the use of a narcotic which saps the vitality of the young and threatens the degeneracy of the race. Moreover the use of tobacco offends even more persons than the use of liquors does; for it is possible to get away from the fumes of whisky and beer and the company of those who use them, but it is scarcely possible to escape the fumes of tobacco which load the air in all directions, indoors and out.

The Boise *Statesman* complains that the Oregon Short Line is taking pains to avoid that city by adopting a circuitous and longer route, in order to build up rival towns.

WHY OREGON WANTS THE TREATY ABROGATED.

The Chicago *Times*, in a dispatch reports, claim as it a queer thing that some of the Pacific coast papers insist on abrogation of the Hawaiian treaty since the people here have been so much benefited. The matter is discussed at some length, the *Times* demonstrating to its own satisfaction that the Pacific coast has been benefited by Claus Spreckels sugar monopoly. The facts are that the Pacific coast consumers pay from one to two cents per pound more for sugar than they would if the treaty were abrogated, and this goes into the pockets of a single man Claus Spreckels —who through the free use of money forces competitors out of the Hawaiian islands sugar trade, and subsidizes the transcontinental railroad lines to put such a rate on sugar freights that its importation from the other side is practically impossible. This is the first and great reason why Pacific coast papers Spreckels as a monopolist. In Portland we have a local reason for desiring abrogation of the treaty. Before it was made, three vessels were in the trade between the island and this city, and the trade was promising of developing into great proportions. We imported sugar, tropical fruits and other island products; and returned to them flour, lumber, apples and general merchandise. The exchange was profitable to both countries and the trade was looked upon as one of our bright prospects. But within the first few months following ratification of the treaty our little trade was entirely cut off. Refined sugars which paid a tariff could not be shipped in competition with unrefined sugars which got in free; and as we had no refinery, we could not take the gross product. The basis of our exchange was gone and of course our Island business fell off. We are losers in two ways—first, by payment of extortionate prices for sugar, and second by loss of a profitable foreign business. Political economists may theorize as much as they like but these are facts.

From the annual tables showing the progress of British merchant shipping, it appears that the total tonnage of steam and sailing vessels, with cargo and in ballast (from foreign ports), which entered and cleared at ports of the United Kingdom in 1882 was 61,491,255 tons, as compared with 58,706,063 tons in 1880, 56,640,-782 tons in 1870, 24,389,292 tons in 1860, and 14,505,094 tons in 1850. Of the total tonnage, 53,670,321 tons, in 1882, were British, which, like the gross total for the year, was the largest on record. This tonnage compares with 41,-348,884 tons in 1880, 25,072 130 tons in 1870, 13,914,913 tons in 1860, and 9,442,514 tons in 1850. The second place in the list is occupied by Norway, which in 1882 had 4,003,883 tons, against 3,578,643 tons in 1881, 4,651,768 tons in 1880 and 4,017,219 in 1876. Germany comes next with 3,854,395 tons in 1882, against 3,221,-694 tons in 1881. The United States occupy a humiliating position, far down on the list, with only 719,621 tons, the smallest on record for the great republic, comparing as it does with 926,787 tons in 1881, 1,006,388 tons in 1880, 1,265,909 tons in 1870, and 2,961,697 tons in 1850. Of the total tonnage, 43,246,252 in 1882 was steam, British ships, of course, leading the list with 35,434,015 tons. Again the United States are far down, with 141,940 tons, an improvement, however, over 1881, when it was 134,345 tons. The proportion of British ships entered or cleared, with cargoes or in ballast, to the total tonnage was 71 per cent. in 1885. A similar table regarding the entries and clearances in the United States shows that in 1882 only 19 per cent. of the, whole was native. The table relating to the trade with the United States shows a falling off last year, the total entries and clearances with cargoes being 7,731,918 tons, against 8,841,109 tons in 188., 6,998,831 tons in 1880, 6,012,364 tons in 1879, and 7,087,953 tons in 1873, by far the largest up to that time.

Within the last twenty years the New England states have more than doubled their number of divorces. Connecticut granted 5675 divorces in fifteen years ending with 1880, or one divorce to ten marriages. Under a change of law the ratio has since been somewhat reduced. Massachusetts, from 243 divorces in 1865, ran the number up to 600 in 1880, or one divorce to about twenty-one marriages. The ratio is about the same in New Hampshire, and is one to eight in Maine, and one to ten in Rhode Island. In no part of the United States has there been greater change during the past quarter of a century in the character of the population than in New England. The old stock, with its austere habits and severe morality has been diminished by emigration to the west, and the character of the remaining part has been modified by new forces or their influence overborne by heavy accessions of population from other quarters, chiefly from Europe. A foreign population fills all the manufacturing towns and cities, and these contain the bulk of the inhabitants of the whole section. New England has lost its old character, and such as it once was it never will be again. Crime is prevalent where, twenty-five years ago, it was quite unknown and only in the isolated rural districts, and the most quiet villages is the life of old New England still known and maintained.

THE OREGONIAN hereby records this prediction, viz.: Before the Lappens "investigation" is over it will be shown to the satisfaction of all decent and honorable people that the accusations upon which it has been attempted to put him out of office were "worked up" by a disreputable and self seeking gang who want to control the police force of the city; that the Carrie Bradley charge was originated by this gang, suggested to her, and her pen pic nic affidavit to support it procured by them; that the entire scheme, started by persons who are working for personal and political ends and supported by the organ of a professions ring, is founded in dishonor and crime, and that the public will pronounce this verdict when the testimony is all in. The persons whose names were attached to the complaint are no the persons herein referred to at all. They are not the originators of the scheme and cut no figure in it. The principals will appear before all is done.

Obtainment of money in Portland on real estate security is now practically impossible; and it is so to a great extent throughout the state. The mortgage tax law is like y to be the means of closing out many farmers, who will be called on to pay when their mortgages fall due, but who will be unable to get the money by mortgaging again.

It is understood that the editor of the Hoodlum and ring organ and ex-official postmaster of the city has appointed Mr. Mor. Limuck assistant postmaster, to succeed Mr. Chittenden, resigned. Why wasn't Hon. Shpuit-finally the man who "went down with tears in his eyes," given a show?

As a result of the failure of the prohibitory amendment in Iowa, the license for sale of liquors is being increased in all the principal cities and towns of the state. The usual figure is $1000 a year.

The land office at Helena, Montana, is overrun with business. The approach of the Northern Pacific railroad has created an enormous demand for lands.

Heavy Railroad Cut.

Yaquina Post

For the past six months work has been continually pushed forward at the Wisser cut, and on Wednesday morning the last car load of rock and earth was taken out—the work was done. Although the working force was small the amount of labor performed was good. The entire length of the cut is nearly 600 feet, and the greatest depth to-day feet, and it rents and something over 60,000 yards of earth and rock. This is the largest and most expensive cut on the line of the coast division. We wish that some of our valley readers could but view this cut for a few minutes, they would then perhaps be satisfied and convinced that the work done upon the road is of a substantial nature, and let no some represent a mere scratching around over the ground like a child's play.

FARRINGTON, Ill.—Dr. M. T. Gamble says: "I prescribe brown's Iron Bitters in my practice and it gives satisfaction."

OREGON IMPROVEMENT COMPANY.

Report of the Business of the Company for the Year Ending November 30, 1882.

The company owns, by direct title in fee simple, 30,000 acres in Washington, 100 acres of land in timber lands in Washington, 100 acres of land in timber lands in Oregon, and 1,000 acres of land in Washington, at the wharf and coal bunkers at San Francisco, and owns as a stock-holder the properties of

The Seattle Coal and Transportation Company, a corporation of Nebraska, and owns a stock interest in the properties of

The Seattle Coal and Transportation Company, a corporation of Nebraska, and owns a stock interest in the properties of

The Coal lands and Puget Sound Railroad Company, owning one of the railway through one to coal mines on the Newcastle water front, with its post on Seattle bay, a coal dock, wharf, sawmill and a large amount of real estate in that town.

The Pacific Coast Steamship Company, owning and operating steamships Bismarck, Idaho, Eureka, running from San Francisco to all ports and to Alaska on the northern and southern coasts of California and to Portland, Oregon, Puget Sound, British Columbia and Alaska.

The daily equipped narrow gauge railroad of the Puget Sound Railway Company, extending from Port Harford to Los Alamos, Cal., a distance of 9 miles, on which company owns extensive wharves at Port Harford and large grain warehouses at the Alamos.

Also owns several forms of ownership in vessels in the ferrying up of a correspondence number of different corporate organizations and by transfer to account, the company's actual operations are carried on through the following departments:

The coal department, consisting the mining and shipping of coal.

The general transportation department.

The land department.

The coal lands owned company of the Newcastle mine are now worked, and coal is sold out of which they mine worked and coal is sold out of which they mine worked and coal is sold out of which they mine worked

Oregonian.

MONDAY MORNING, MAY 17 1883

CITY.

Arrested—Charles Smith who was arrested near the railroad on Washington street in the forenoon by officer Keerins charged with selling liquor without a license, was arraigned in the police court yesterday afternoon and fined $50 and costs.

Petty larceny was the charge preferred against Jennie Lee, who was arrested yesterday morning by officer Keerins. It appears that Schmidt had a dance at his saloon on Second street, between Washington and Stark, on Wednesday night, and that the defendant was employed to assist in waiting on the guests. During the evening she stole a pocketbook containing $30 in money, which belonged to one of the guests. She was arraigned in the police court yesterday afternoon and pleaded not guilty. Her case was set for trial this morning at 10 o'clock.

Fire—Last night the alarm was sounded on account of a fire in the building on the corner of Second and Clay streets, which was occupied by Mrs. Hall as a boarding house. The fire originated in the kitchen, and was caused by a defective flue. The damage to the building will amount to about $100, which is fully covered by insurance. The loss on the furniture will be about $200, on which there is no insurance.

Fire—Yesterday afternoon about 4 o'clock the alarm was sounded from box 43, corner of Fourth and Jefferson streets, on account of a fire which had originated in a pile of rubbish in the rear of the residence of Mrs. Mary Hall, on Fourth street, between Jefferson and Columbia. The fire was extinguished by the department before any damage was done

The Portland Oregonian.

THURSDAY MORNING, MAY 17, 1883.

U. S. CIRCUIT COURT, DISTRICT OF OREGON.

Tuesday, May 15.

Philip Nels et al., vs. Isaac P. Vosmer—No. 865. Action for damages.

(1.) MUTUAL AND DEPENDENT COVENANTS—The undertakings in a contract whereby one party agrees to sell and deliver a article to another on the demand of such other at a certain place and upon the payment by him of a certain price are mutual and dependent, and before either party can maintain an action against the other for non-performance of such contract, he must aver and show an offer of performance on his part or a readiness and willingness to perform according to the circumstances of the case.

(2.)—SPECIAL DEMURRER.—Under the code of C. P. special demurrers are not allowed, but if the allegations of a pleading are open to the objection of indefiniteness or uncertainty, the remedy is by motion, under §48 of the code, to make the same more definite and certain.

(3.)—DEMAND—ALLEGATION OF.—X. agreed to sell and deliver to N. and B. a certain place, for a certain price, a certain quantity of hops upon the demand of said N. and B., but without any time being specified in which such demand should be made. *Held*, in an action by N. and B. against X. for the non-delivery of the hops, that in all pleading that the plaintiffs had demanded the hops from the defendant without stating when, was sufficient on general demurrer; and that an allegation that they were ready and willing to receive and pay for the hops without stating when or where, was also sufficient.

(4.)—ALLEGATION OF READINESS AND WILLINGNESS TO RECEIVE AND PAY FOR AN ARTICLE.—Where it is agreed that an article shall be delivered in the buyer by the seller at a certain place for a certain price on the demand of the former, and the demand is made for the delivery on a certain day, in an action for the non-delivery of the article, it is sufficient to allege that he was ready and willing to receive and pay therefor, at the time and place named, but if the seller has the article at such time and place, a such action the buyer must also allege and show that he then and there offered to tender and pay for the same.

READY, J.

The plaintiffs citizens of California, bring this action against the, defendant, a citizen of Oregon, to recover the sum of $22,750 damages for the alleged non-performance of a contract for the sale and delivery of 65,000 pounds of hops on demand, at Eugene.

The complaint alleges that on October 17, 1882, the defendant sold to the plaintiff 65,000 pounds of hops for 35 cents per pound, and that there agreed with the plaintiffs to deliver them said hops at the town of Eugene, Oregon, on demand, and therefore "That plaintiffs have always been ready and willing to receive the hops and have offered to receive and pay for the same, but defendant although requested so to do, has hitherto refused and still refuses to deliver the same to said plaintiffs," to their damage as aforesaid.

The defendant demurs to the complaint, for that it does not appear at what time or place the hops were to be delivered, or that any demand for the hops was made, or that defendant refused to receive and pay for the same, or that the plaintiffs were ready and willing to receive or pay for the same. The defendant was not bound to deliver the hops until paid for them, nor until the plaintiffs offered to pay for them. But if either of these contenst against the complaint show the default of the plaintiffs in the performance of the contract on his part or according to the terms of the same, that he was not bound to deliver the hops at the time specified, or that some demand, request or tender was necessary to a legal demand, and in case of a verdict for the plaintiffs and a motion in arrest of judgment, it would be presumed that such proof had been made. Clark vs. Miller, 19 Barb., 95; Bennett vs. Bank of Columbia, 15 Wend., 396; De Sobry vs. Nicholson, 3 Wall., 424.

Special demurrers are not allowed by the code of C. P. In § 65 thereof the grounds of demurrer to a complaint are specified, but none of them include the mere manner of stating a fact or the defective statement of an issuable matter. By subdivision 5 of § 65 of this section the defendant may demur to the complaint on the ground that the facts do not constitute a cause of action; and this objection is not waived by a failure to demur, but may be made on a motion in arrest of judgment.

Doubtless there are cases in which the time wherein an act was done or occurred is material, and that the statement of the fact without the time would not constitute a cause of action nor an element of one. But in a case like this, when the agreement is that the article shall be delivered on a demand, not required to be made within any specified time, the allegation that a demand was made without mentioning any time is a sufficient statement of the fact to support a verdict, and therefore a general demurrer will not lie to the complaint on that account.

If for any of the reasons heretofore suggested the demand was delayed so long as to amount to evidence of an abandonment of the contract by the plaintiffs and the discharge of the defendant from his obligation to deliver the hops, that fact with the circumstances may be set up as a defense by the latter.

Nor is it probable that the place of making the demand, if it was made upon the defendant in person, can ever become material. It was to be made upon the defendant, and of course might be made wherever he could be found. The agreement does not require it to be made in any particular place. And if it was made upon the defendant constructively, by being left at his usual or supported place of business or abode with a third person, and he is advised that such a demand is sufficient, he may deny the allegation of a demand and contest it on the proof.

Neither is it necessary to allege at what time and place the plaintiffs were ready and willing to receive any hops or elsewhere or making a tender of payment. 1 Hill, 523.

The omission of a demand or in connexion with his contract has the effect to postpone the time of performance on the part of the plaintiffs to a reasonable time after the hops were made, or to the time when they offered to receive and pay for the same, or that the plaintiffs were ready and willing to receive or pay for the same. And in such case, the contract fixes the place of delivery and the demand should fix the time of it.

If there is the allegation concerning the demand is indefinite as to the time when it was made and the time thereby appointed for the delivery, as to render the precise nature of the contract uncertain, the defendant's remedy is not by special demurrer, but by motion under § 48 of the code of C. P., to make the complaint more definite and certain in this respect.

Nor do I think the undertakings of either of the parties of this contract are conditions precedent within the purview of § 86 of the code of C. P., which authorizes the performance of which to be pleaded by stating generally that the party duly performed all the conditions on his part.

And particularly is this the case, as to the demand, the one undertaking which comes nearer bringing a condition precedent than any other to be performed by the plaintiffs, for either to be performed by the plaintiffs, for either to be performed by the plaintiffs, for either